

TWENTY-FIFTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, March 27, 1918.

The Senate met at 9 o'clock, pursuant to adjournment, and was called to order by President Pro Tem. Decherd.

Alderdice.	Henderson.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Collins.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	Woodward.

Absent.

Hall. Hopkins.

Absent—Excused.

Dayton. McCollum.
Hudspeth.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

Petitions and Memorials.

There were none today.

Committee Reports.

See Appendix.

Simple Resolution No. 60.

Whereas, This day, March 27, 1918, marks the eighty-second anniversary of the massacre of Goliad, where Fannin and his men sacrificed their lives for the freedom of Texas on March 27, 1836; therefore be it

Resolved, That the Honorable John H. Bailey, State Senator from the district in which Goliad is situate, be requested to address the Senate on the day we hereby memorialize; and, be it further

Resolved, That when the Senate

of the Thirty-fifth Legislature shall adjourn on today sine die, that it do so in memory of the historic event and the heroes who created it at Goliad.

McNEALUS.

BEE.

The resolution was read and adopted and the Chair appointed Senators McNealus, Bee and Henderson to conduct the Speaker to the President's stand, whereupon Senator Bailey made a patriotic address.

Simple Resolution No. 61.

I move that Rev. W. H. Morgan be invited to address the Senate briefly.
FLOYD.

The resolution was read and adopted, and the Rev. S. H. Morgan addressed the Senate briefly.

Simple Resolution No. 62.

The resolution was read and Sergeant-at-Arms be instructed to have all the typewriter desks of the Senate placed in Room No. 3, and the room locked, that these desks may be safe from molestation, and that the Sergeant-at-Arms after having performed this service, turn the property over to the Superintendent of Public Buildings and Grounds.

DECHERD.

McNEALUS.

The resolution was read and adopted.

Bills Signed.

The Chair, President Pro Tem. Decherd, gave notice of signing and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 88, A bill to be entitled "An Act to repeal Articles 7074, 7366, 7367, 7368, and 7392 of the Revised Civil Statutes of the State of Texas, 1911, creating the office of State Revenue Agent and defining his powers and duties, repealing the appropriation for said State Revenue Agent, the bill to become effective January 15, 1919, and declaring an emergency."

S. B. No. 69, A bill to be entitled "An Act providing that those engaged in any business within the State upon which the laws require the payment of a tax on gross receipts must obtain permit to transact such business from the Secretary of State; providing for the issuance of such permit by the Secretary of State, what the same shall contain, and that the same shall be posted in the office of the person or concern to whom issued; providing for an application to be made for such permits and what such application shall show; the length of time such permits are to run; when those now engaged in business must obtain permits; providing for the suspension of such permits by the Secretary of State on a certificate from the Comptroller showing the holder has failed to pay his gross receipt taxes; stating the conditions, manner and method of suspending such permits, and the publication of notices with reference thereto; providing penalties for the transaction of business regulated in this Act without having obtained a permit, or transacting business after such permit has been suspended and the method of collecting such penalties; authorizing suit by the Attorney General to collect such penalties and defining the jurisdiction and venue of such suits; creating offenses for violations of this Act and fixing the punishment therefor; prescribing certain duties and conferring certain authority on the Comptroller, Secretary of State and the Attorney General with reference to administering and enforcing this Act; making this Act cumulative of all other laws on this subject and declaring an emergency."

S. B. No. 112, A bill to be entitled "An Act to establish and create a court to be known as the 'County Court of Jefferson County at Law No. 2,' and to prescribe its organization, jurisdiction and procedure, and to conform the jurisdiction and procedure of other courts thereto, and to declare an emergency."

S. B. No. 106, A bill to be entitled "An Act to prohibit any person other than the lawful owner, or owners, to use, traffic in, purchase, sell, convert, mutilate or destroy, or refuse to return to such owner any milk cans, milk bottles, milk jars, butter boxes, ice cream cans, or ice cream tubs

branded or stamped by, or bearing the private mark of such owner."

H. B. No. 113, A bill to be entitled "An Act to authorize the commissioners court to purchase poisons and other accessories for the purpose of destroying prairie dogs, rats, coyotes, wolves, wild cats, gophers, ground squirrels, English sparrows, and ravens; giving the commissioners court the authority to sell at cost or give such poisons to all persons residing in the county, to be used for such purposes, and providing procedure for the distribution and use of such poisons, and creating an emergency."

H. B. No. 111, A bill to be entitled "An Act to amend Article 3096 of the Revised Civil Statutes of Texas, adopted in 1911, so as to read as follows: 'Article 306. Ballot, primary, no symbol, etc., on except, etc.; ballots without test not counted, etc.'"

H. B. No. 182, A bill to be entitled "An Act making it the duty of the sheriffs, constables and their deputies, policemen and all other peace officers of the State to assist the officers of the United States whose duty it is to enforce the provisions of an Act of Congress entitled 'An Act to prohibit the manufacture, distribution, storage, use and possession in time of war of explosives, providing regulations for the sale, manufacture, distribution, storage, use and possession of the same, and for other purposes,' and making it the duty of said peace officers to report to the proper officers of the United States any fact or circumstances showing or indicating a violation of said Act; providing a punishment for the failure of any such peace officer to discharge the duties imposed by the provisions of this Act; providing change of venue, and declaring an emergency."

H. C. R. No. 11, relating to sine die adjournment of the Fourth Called Session of the Thirty-fifth Legislature.

Message from the House.

Hall of House of Representatives.

Austin, Texas, March 27, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House

has adopted Free Conference Committee report on House Bill No. 99.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

President Pro Tem.—Election Of.

The Chair here declared nominations in order for President Pro Tem. of the Senate for vacation term of the Senate.

Senator Westbrook was recognized and placed in nomination the name of Senator J. M. Alderdice.

Senator Caldwell then nominated Senator A. C. Robbins for that position.

Senator Buchanan of Scurry seconded the nomination of Senator Robbins.

There being no other nominations, the Chair declared nominations closed, and appointed Senators Faust, Buchanan of Bell, and Johnson of Hall as tellers.

The ballot resulted as follows:

Senator Robbins received 13 votes.

Senator Alderdice received 4 votes.

Senator Johnston of Harris received 9 votes.

No one Senator having received a majority of all votes cast, the Chair directed a second ballot prepared.

Senator Bailey arose to place another in nomination.

Senator Westbrook made the point of order that nominations had been closed, and other nominations are not now in order.

The point of order was overruled.

Senator Bailey then placed in nomination the name of Senator R. M. Johnston.

Senator McNealus seconded the nomination.

The second ballot resulted as follows:

Senator Robbins received 11 votes.

Senator Alderdice received 2 votes.

Senator McNealus received 1 vote.

Senator Johnston of Harris received 12 votes.

The Chair then directed the Senators to prepare a third ballot which resulted as follows:

Senator Robbins received 11 votes.

Senator McNealus received 1 vote.

Senator Johnston of Harris received 12 votes.

Senator Alderdice received 1 vote.

By unanimous consent, Senators

Page and Bee seconded the nomination of Senator R. M. Johnston.

The fourth ballot resulted as follows:

Senator Johnston received 13 votes.

Senator Robbins received 11 votes.

Senator Alderdice received 1 vote.

Senator Johnston of Harris having received a majority of all votes cast, he was declared to be duly and constitutionally elected President Pro Tem. of the Senate for the interim between the Fourth Called Session of the Thirty-fifth Legislature and the reconvening of another session.

Senators McNealus, Robbins and Page were appointed as a committee to escort Senator Johnston of Harris to the President's stand, whereupon he took the constitutional oath of office administered by President Pro Tem. Decherd.

Being presented to the Senate by the Chair, Senator Johnston addressed the Senate.

(President Pro Tem. Johnston in the chair.)

House Bill No. 99—Free Conference Committee Report.

Committee Room,

Austin, Texas, March 27, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Free Conference Committee on House Bill No. 99 have had under consideration the said bill, with the amendments thereto, as adopted in the Senate and recommend the following:

That the House concur in the Senate amendment regarding the Deaf, Dumb and Blind Institute for Colored Youths.

That the House concur in the Senate amendment striking out all appropriations for the State Lunatic Asylum at Austin.

That the Senate recede from its amendment striking out an additional appropriation for increase in the salaries of four night watchmen for the Superintendent of Public Buildings and Grounds.

That the Senate recede from its amendment striking out the appropriation for salary of engineer in the new Land Office building, and that said item in the House bill be so amended that the sum of \$1200.00 shall be and is appropriated to pay

the salary of the engineer, provided that such salary shall be \$100.00 per month only and shall begin from the acceptance of said building by the State.

That the House concur in the Senate amendment to the item of \$150,000 to be refunded to liquor dealers.

That the Senate recede from its amendment striking out the appropriation of \$24.90 to be paid C. W. Carlisle, sheriff of Liberty County.

That the House concur in Senate amendment striking out \$55.00 for J. M. Hodge.

That the House concur in Senate amendment striking out \$18,000 for the State Quarantine Station at Sabine, Texas.

That the House concur in the Senate amendment striking out \$2400.00 to build a pipe line from the State Lunatic Asylum to the Blind Institute.

That the House concur in Senate amendment striking out \$450.00 for W. W. Dodd.

That the House concur in Senate amendment striking out the claim of \$108.00 for J. A. Brewer of Blossom, Texas.

That the Senate recede from its amendment allowing only \$1,000 for the State Department of Public Instruction and the item as passed by the House remain in the bill.

That the Senate recede from its amendment striking out \$38.14 for the Texas Company.

That the House concur in Senate amendment striking out \$650. for the payment for transcript in cases, etc.

That the House concur in Senate amendment to pay the Pekin Social Club of San Antonio the sum of \$47.50.

That the House concur in Senate amendment to pay the salary of one State Oil Gauger.

That the House concur in Senate amendment to replace the cylinder head of engine in the Epileptic Colony at Abilene.

That in lieu of the Senate amendment appropriating \$10,000 to pay the railroad fare for the Live Stock Sanitary Commissioners, the amount of said item be fixed at \$5,000 with the amendments otherwise to be clothed in the verbiage of the Senate amendment.

That the House concur in Senate amendment of \$800.00 deficiency for

the Game, Fish and Oyster Department.

That the House concur in Senate amendment in the appropriation of \$20,000 for a camp of instruction at Austin during the summer of 1918.

That the House concur in Senate amendment to pay to T. M. Hall \$20.00.

That the House concur in Senate amendment striking out \$300.00 for oculist at Confederate Home.

That the House concur in Senate amendment to refund to J. A. Beal \$66.00.

Respectfully submitted,

DEAN.

PAGE.

JOHNSTON of Harris.

CALDWELL.

On the part of the Senate.

MENDELL.

JOHNSON of Ellis.

BLEDSON.

On the part of the House.

The foregoing report was laid before the Senate, read and, on motion of Senator Dean, the same was concurred in by the Senate.

House Bill No. 128.

The Chair laid before the Senate on third reading:

H. B. No. 128, A bill to be entitled "An Act requiring teachers in the public schools to conduct school work in the English language exclusively, preventing the adoption of texts for elementary grades not printed in English, defining the grades in which a foreign language may be taught, and fixing penalties for violation of this Act."

The bill was laid before the Senate, read third time and, on motion of Senator Suiter, was passed finally.

Simple Resolution No. 63.

Whereas, During the closing hours of this session of our Legislature, there is being fought between the forces standing for liberty, freedom and democracy on the one side, and the forces standing for servility, serfdom and autocracy on the other, the most titanic battle in the history of the world, and

Whereas, The American soldiers on the battle front in France are in

this momentous hour, engaged in this great battle and are heroically assisting the forces defending liberty, freedom and democracy in their noble and heroic struggle to defeat the selfish, autocratic and militaristic forces in their attempt to destroy the freedom and democracy of the world; therefore, be it

Resolved, by the Senate of the State of Texas, That in this trying hour, the great and liberty loving people of this great domain pledge anew their fidelity to and confidence in the magnificent and glorious leadership of our great President as commander in chief of our Army and Navy, and assure him of our co-operation with all the resources of our great State in every effort which has for its purpose winning this great war for worldwide liberty and democracy.

SUITER.
LATTIMORE.
COLLINS.

The resolution was read and adopted.

Bills Signed.

The Chair, President Pro Tem. Johnston of Harris, gave notice of signing and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 99, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State, authorizing the payment of said miscellaneous items on the taking effect of this Act, making additional appropriations for the support of the State government for the fiscal year ending August 31, 1918 and August 31, 1919 and declaring an emergency."

H. B. No. 128, A bill to be entitled "An Act requiring teachers in the public schools to conduct school work in the English language exclusively, preventing the adoption of texts for elementary grades not printed in English, defining the grades in which a foreign language may be taught, and fixing penalties for violation of this Act."

Notification Committees.

Senator Dean moved that the Chair appoint two committees of three Senators each, to notify the

House and the Governor that the Senate of the Fourth Called Session of the Thirty-fifth Legislature has completed its labors and is ready to adjourn.

The motion was adopted and the Chair named Senators Dean, Gibson and Smith as a committee to notify the Governor, and Senators Henderson, Sulter and Decherd to notify the House.

House Notified the Senate.

Here a committee of three members of the House appeared at the bar of the Senate with the message that the House had completed its labors and was ready to adjourn.

Report of Notification Committees.

The committee to notify the Governor here reported that they have discharged their duty, and that the Governor sends his congratulations to the Senate for the work done during this special session.

The committee to notify the House also made report that they had performed their duty.

The reports were received by the Senate and the committees discharged.

House Bill No. 142.

Senator McNealus called up for consideration House Bill No. 142, Equity of Redemption bill, which was on the table subject to call.

Senator Caldwell made the point of order that under rule 31 of the Senate no bill can be considered within twenty-four hours of sine die adjournment and that for that reason this bill can not now be considered.

The point of order was sustained.

Sine Die Adjournment.

The Chair, President Pro Tem. Johnston of Harris, stated that the hour fixed by concurrent resolution to adjourn had arrived, and declared the Fourth Called Session of the Thirty-fifth Legislature adjourned without day.

APPENDIX.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, March 27, 1918.

Hon. E. A. Decherd, President Pro
Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 112, and find it correctly enrolled, and have this day at 9:45 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 27, 1918.

Hon. E. A. Decherd, President Pro
Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 112, and find it correctly enrolled, and have this day at 9:45 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

S. B. No. 106.

By Bee.

An Act to prohibit any person other than the lawful owner or owners to use, traffic in, purchase, sell, convert, mutilate or destroy, without the consent of the lawful owner of same, or to refuse to return to such owner any milk cans, milk bottles, milk jars, butter boxes, ice cream cans or ice cream tubs branded or stamped by, or bearing the private mark of such owner, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. It shall hereafter be unlawful for any person, other than the lawful owner or owners, for any purpose whatever, to fill with milk, cream, butter or ice cream any milk can, milk bottle, milk jar, butter box, ice cream can or ice cream tub or to mutilate or destroy without the consent of the owner of same, or to willfully refuse to return or deliver to such owner, upon demand, any such milk can, milk bottle, milk jar, butter box, ice cream can, or ice cream tub branded or stamped with the name or trade mark of such owner, or bearing any private mark in common use by such owner, or from

which such brand or stamp or private mark or marks have been removed, cut off or defaced.

Sec. 2. It shall hereafter be unlawful for any person within this State to remove, cut off, deface or obliterate the stamp or brand or private mark of any owner of any milk bottle, milk jar, butter box, milk can, ice cream can or ice cream tub, or to stamp or place other than brands or stamps or private mark on any such milk bottle, milk jar, milk can, butter box, ice cream can or ice cream tub, without the written permission of such owner.

Sec. 3. Any person or persons, firm or corporation, or joint stock association owning or using milk cans, milk bottles, milk jars, butter boxes, ice cream cans or ice cream tubs in his, her or their name or names, or private mark or marks in common use branded or stamped or placed on the same shall be considered the owner or owners thereof.

Sec. 4. Any person violating Sections 1 and 2 of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than ten nor more than one hundred dollars.

Sec. 5. The fact that there is now no law in this State prohibiting the use of milk cans, milk bottles, milk jars, butter boxes, ice cream cans or ice cream tubs belonging to others than those using them, and no law in this State prohibiting the defacing of brands and stamps and private marks on the same, and the fact that the existence of a state of war has created a shortage in milk cans, milk bottles, milk jars, ice cream tubs, ice cream cans and other such materials and supplies, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 27, 1918.

Hon. E. A. Decherd, President Pro
Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 80, copy of which is hereto attached and find it correctly enrolled and have this day at 9:45 o'clock a. m. presented

same to the Governor for his approval.

SMITH, Chairman.

S. B. No. 80.

By Hudspeth.

An Act to validate sales of school land on condition of settlement in cases where purchasers have been or may be drafted into the service of the Federal Government before they had time to settle on the land and in cases where they did comply with the law relative to settlement but have been or may hereafter be forced to leave the land to make a support for themselves or for their families, or have been or may be drafted into the service of the Federal Government before completing the required residence, and declaring an emergency.

Whereas, The drought conditions in the school land area of the State of Texas have made it next to impossible for purchasers of school lands on condition of settlement to reside upon said land and support themselves and families, thereby forcing such purchasers to leave their homes; and,

Whereas, The government and farms need the services of all available labor; and,

Whereas, Many purchasers have been drafted into the service of the Federal government before they had time to settle on the land and also after settlement and before the completion of the three years residence thereon.

Now, therefore:

Be it enacted by the Legislature of the State of Texas:

Section 1. In all cases where school land has been sold on condition of settlement and the purchaser has complied or may hereafter comply with the law relative to settlement thereof and has been compelled to leave the same or may hereafter be compelled to leave the same for the purpose of earning a support for himself and family, and also in such cases where a purchaser is drafted into the Federal service before he has time to settle on the land, or where he may be drafted into the Federal service before the completion of three years' residence on the land after settlement has been made, such sales are hereby validated and the Commissioner of the General

Land Office shall not cancel such sales.

Sec. 2. In all cases within the provisions of this Act the purchaser shall file in the General Land Office his affidavit stating the facts pertaining thereto, corroborated by the affidavit of three disinterested persons and when such affidavits shall have been filed the owner shall have a good and perfect title, subject only to the State's lien for the unpaid purchase price.

Sec. 3. The importance of this proposed legislation and the brief term of this session creates an emergency and an imperative public necessity exists that the rule requiring bills to be read on three several days in each house be suspended and that this bill be placed upon third reading and final passage and take effect from and after its passage and it is so enacted.

Committee Room,

Austin, Texas, March 27, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 69, copy of which is hereto attached and find it correctly enrolled and have this day at 9:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Alderdice.

S. B. No. 69.

An Act providing that those engaged in any business within this State, upon which the laws require the payment of a tax on gross receipts, must obtain a permit to transact such business from the Secretary of State; providing for the issuance of such permit by the Secretary of State, what the same shall contain, and that the same shall be posted in the office of the person or concern to whom issued; providing for an application to be made for such permits, and what such application shall show; the length of time such permits are to run and when those now engaged in business must obtain permits; providing for the suspension of such permits by the Secretary of State on a certificate from the Comptroller showing the holder has failed to pay his gross receipts taxes; stating the conditions, manner and method of sus-

pending such permits, and the publication of notices with reference thereto; providing penalties for the transaction of business regulated in this Act without having obtained a permit, or transacting business after such permit has been suspended and the method of collecting such penalties; authorizing suit by the Attorney General to collect such penalties and defining the jurisdiction and venue of such suits; creating offenses for violations of this Act and fixing punishment therefor; prescribing certain duties and conferring certain authority on the Comptroller, Secretary of State and the Attorney General with reference to administering and enforcing this Act; making this Act cumulative of all other laws on the subject, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Every person, company, firm, partnership, corporation, or unincorporated company or association, engaged in any business within this State, upon which the laws of this State require the payment of a tax on gross receipts, shall after this Act becomes effective be required to have a permit to transact such business, to be issued by the Secretary of State which permit shall be and remain posted, subject to the view of the public at the principal office of such person or concern to whom the same is issued. The permit shall be issued in such form as may be prescribed by the Attorney General, shall show the name of the person or concern to whom issued, the business to be transacted, and that the holder thereof has complied with this Act.

Section 2. Permits to transact business shall be issued by the Secretary of State upon application made upon forms prescribed by the Secretary of State, which applications shall show, to the satisfaction of the Secretary of State, the facts required to be shown in the permit; and shall show that the applicant has paid the gross receipt taxes prescribed by law, or that if the applicant is the vendee of a going business that his vendor has paid all his gross receipts taxes due, or to become due; such taxes are to be shown to be paid for the current quarter, or such other period

of time as said taxes may be paid. The Secretary of State shall make such investigation as necessary to determine that such taxes have been paid and shall then issue a permit to transact business, authorizing the party to whom issued to transact business until the 31st day of December of the current year, after which date new permits for each year must be obtained, as in the first instance; provided, however, that those engaged in business shall have sixty days after this Act becomes effective to obtain permits hereunder; but all those beginning business after this Act becomes effective must obtain a permit before transacting business.

Section 3. Within thirty days after gross receipts taxes may become due by anyone transacting, or authorized to transact business hereunder, if such tax remain unpaid, the Comptroller shall certify such fact to the Secretary of State, whose duty it shall be to notify the delinquent tax payer that his name has been certified to the Secretary of State as a delinquent and that unless the tax is paid the Comptroller within ten days from the date of such notice the permit to transact business of the delinquent will be suspended by the Secretary of State. The notice herein provided for shall be given by the Secretary of State, mailing to the delinquent at his last known address a printed or written notice, and the mailing of such notice by the Secretary of State shall be a sufficient compliance with this Act. If the tax, with accrued penalties, is not paid within fifteen days after the mailing of the notice the Secretary of State shall note on his records that the permit to transact business of the delinquent has been suspended, giving the date upon which such action was taken by the Secretary of State. The Secretary of State shall then immediately certify such suspension to the Comptroller and to the Attorney General. After the permit to transact business has been suspended it shall be unlawful for the delinquent to continue to transact business, and it shall be the duty of the Secretary of State to cause to be published in some daily or weekly paper, published in the county of the delinquent's place of business, or if there is no newspaper published in such county, then in some daily newspaper of Statewide

circulation, notice that the delinquent's permit to transact business has been suspended.

Section 4. Any person, company, firm, partnership, corporation, unincorporated company or association, transacting business in this State upon which a gross receipts tax is required by law to be paid, without having first obtained a permit to do so, or transacting such business after its permit so to do has been suspended, as provided in this Act, shall be liable to a penalty of not less than \$50.00 nor more than \$500.00 daily for each day's business which is transacted in violation of this Act. And in addition, every person whether as an individual or the member of a company, firm, partnership, unincorporated company or association, or as an officer, agent, director or employe of a corporation, who wilfully and knowingly violates or aids another, whether such other person be a corporation or a natural person, in the violation of any of the terms of this Act shall be guilty of a misdemeanor, and upon conviction shall be punished by fine of not less than \$50.00 nor more than \$250.00 for each day or part of a day that such person is engaged in violation of this Act; and each day shall be a separate offense.

It shall be the duty of the Attorney General to bring suits for all penalties authorized by this Act, and he may bring such suits in any court having venue and jurisdiction of the subject matter and of the person of the offender; and the courts of Travis County shall have concurrent jurisdiction over all violations of this Act, and for such purpose jurisdiction and venue is conferred upon all the courts of Travis County having jurisdiction under the Constitution over the subject matter of this Act.

Section 5. This Act shall be cumulative of all other laws on the subject, except where in direct conflict therewith, in which instance this Act shall govern.

Section 6. The fact that this is a special session of the Legislature and the importance of this legislation creates an emergency and an imperative public necessity, which requires that the constitutional rule providing that bills shall be read on three several days be suspended, and said rule is hereby suspended and that this Act take effect and be in force from

and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 27, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 114, copy of which is hereto attached and find it correctly enrolled, and have this day at 9:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman

By Lattimore. S. B. No. 114.

An Act regulating the taxing of all money and securities deposited with the State Treasurer, or other State official or department, where such securities belong to any person, firm, or corporation organized under the laws of the State of Texas; providing such money or securities shall be taxed at the residence of the person, the location of the firm, or the home office of the corporation owning same, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. All securities, of every kind and character, and all moneys, required or permitted by law to be deposited by any person, firm residing in this State, or corporation organized under the laws of Texas, with the Treasurer of the State of Texas, or other State officer or Department, shall be taxed in the county in which the person owning same resides, or where such firm has its place of business, or at the domicile of such corporation, and at no other place.

Section 2. The fact that the city of Austin is seeking to levy local taxes upon funds and securities deposited with the departments of the State government, and that same is contrary to a sound public policy, creates an emergency and an imperative public necessity requiring a suspension of the constitutional rule that all bills be read on three several days, and the rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 27, 1918.
Hon. E. A. Decherd, President Pro
Tem. of the Senate.

Sir: Your Committee on Enrolled
Bills have carefully examined and
compared Senate Bill No. 88, copy
of which is hereto attached and find
it correctly enrolled, and have this
day at 9:45 o'clock a. m. presented
same to the Governor for his ap-
proval.

SMITH, Chairman.

S. B. No. 88. By Alderdice.
An Act to repeal Articles 7074, 7366,
7367, 7368 and 7392 of the Re-
vised Civil Statutes of the State of
Texas, 1911, creating the office of
State Revenue Agent and defining
his powers and duties; repealing
the appropriation for said State
Revenue Agent, the bill to become
effective January 15, 1919, and de-
claring an emergency.

Be it enacted by the Legislature of
the State of Texas:

Section 1. The following articles
of the Revised Civil Statutes of the
State of Texas, 1911, creating the
office of State Revenue Agent and de-
fining his powers and duties and the
appropriation for the maintenance of
said department, be and the same
are hereby repealed: Articles 7074,
7366, 7367, 7368, and 7392.

Sec. 2. That any and all laws

heretofore enacted by the Legisla-
ture of the State of Texas, appropri-
ating moneys for the support and
maintenance of the State Revenue
Agent's office, be and the same are
hereby repealed.

Sec. 3. The provisions of this Act
shall become effective from and after
January 15, 1919.

Sec. 4. From and after January
15, 1919, the Comptroller of Public
Accounts of the State of Texas be,
and he is hereby authorized and em-
powered to perform the duties and
functions of office heretofore per-
formed by the State Revenue Agent,
and all records of the office, books,
furniture, etc., shall be transferred
by the State Revenue Agent to the
office of the Comptroller of Public
Accounts of the State of Texas when
the provisions of this Act become
effective, for safekeeping.

Sec. 5. The fact that there is no
necessity at this time for a State
Revenue Agent whose duties may be
performed by the Comptroller of
Public Accounts, thereby saving to
the State several thousands of dol-
lars, creates an emergency and an
imperative public necessity that the
constitutional rule requiring bills to
be read on three several days be sus-
pended and it is hereby suspended
and that this Act take effect and be
in force from and after its passage,
and it is so enacted.